

The Smithfield Planning Commission held its regular meeting on Tuesday, May 12<sup>th</sup>, 2020 at 6:30 p.m. at the Smithfield Center.

**Members present:**

Charles Bryan – Vice Chairman

Mike Swecker

Julia Hillegass

Thomas Pope

Lilton Marks

**Members absent:**

Randy Pack – Chairman

Michael Torrey

**Staff members present:**

John Settle – Community Development & Planning Director

William H. Riddick, III – Town Attorney

There were six (6) citizens present. Vice Chairman Bryan welcomed everyone to the meeting. All in attendance stood for the Pledge of Allegiance.

**Community Development & Planning Director's Report:**

Mr. Settle stated that the new Town Manager, Mr. Michael Stallings, began employment with the Town on April 20<sup>th</sup>. Everyone is excited to be working with him.

**Upcoming Meetings and Activities:**

Monday, May 18<sup>th</sup>, 3:00 PM – Town Council Committee Meetings

Tuesday, May 19<sup>th</sup>, 3:00 PM – Town Council Committee Meetings

Tuesday, May 19<sup>th</sup>, 6:30 PM – Board of Historic & Architectural Review Meeting

Tuesday, June 2<sup>nd</sup>, 6:30 PM – Town Council Meeting

Tuesday, June 9<sup>th</sup>, 6:30 PM – Planning Commission Meeting

**Public Comments:**

The public is invited to speak to the Planning Commission on any matters, except scheduled public hearings. Please use the sign-up sheet. Comments are limited to five (5) minutes per person. Any required response from the town will be provided in writing following the meeting.

There were no public comments.

**Planning Commission Comments:**

There were no Planning Commission comments.

**Public Hearing: SUP & Site Plan Amendment Applications – 600 Cypress Creek Pkwy., Cypress Creek Golfers & Members Club, LLC, c/o Thomas Duerig, applicant:**

The Community Development and Planning Director explained that this application is for the Golf Club. The applicants are applying for an expanded special use permit for a boating, country, and/or hunt club. In the Town, when you expand an SUP use, the applicant has to apply for an additional SUP. The applicants are also applying for a waiver of parking and loading requirements. They are asking for relief from two standards which have existed on the site since it was developed. The first is the presence of a loading space in the front area of the building. The second request is for a waiver of the minimum required parking spaces from 134 to 97 spaces. Town staff examined the project within the context of all applicable articles of the Zoning Ordinance. Staff noticed that there were a couple of deficiencies on the site according to Article 9 of the Zoning Ordinance. Staff spoke to the applicant about complying with Article 9 and the applicant was enthusiastic about doing that. Consequently, staff recommends a favorable report by the Planning Commission to the Town Council under the condition that the applicants submit a landscaping bond to the Town. The tangible improvements include building a covered patio addition on the northeast side of the building.

Vice Chairman Bryan asked if the applicant would like to speak.

Mr. Thomas Duerig stated that he resides at 417 Muirfield. He is a co-owner of the Cypress Creek Golfers and Members Club. He and his partner acquired the golf course on May 15<sup>th</sup>, 2019. They have been reasonably successful at improving the general operation. They are seeking tournament golfers but lack a space for groups to gather after playing. They currently use a tent which provides seating but is not very user friendly. The applicant would like to build a covered area over the patio. The structure will match the building. Landscaping will be improved and will bring it into compliance with Article 9. They plan to add some trees as a buffer along Cypress Creek Parkway. The parking lot waiver request is not a dramatic change. The maximum number of players allowed on the course is approximately 136 people. The current parking lot serves those numbers. The improvements will upgrade the facility. The new developer of the community, Robinson Development, is in the process of spending about \$200,000.00 on the HOA pool which sits to the left of the Golfer's Club. He sent an email to the Town stating he supports the changes. The HOA and the Golf Course are separate. It is a public/semi-private Golf Course. It is not affiliated with the community. Everyone seems excited about the improvements.

Mrs. Hillegass asked if they planned to rent out the club for special events, receptions, or parties. Mr. Duerig stated that they only do birthday parties and retirement parties at the moment.

Mrs. Hillegass asked what the capacity was for the building and what capacity the pavilion area would add. Mr. Duerig stated that the current building could seat approximately 65 people inside. The pavilion would add approximately 140 people for outside seating.

Mrs. Hillegass asked where overflow parking would be. Mr. Duerig stated that the HOA has a very large parking lot attached to the Golfer's Club lot. The only time there would be a problem would be if the HOA was having a large event at the exact same time.

Vice Chairman Bryan asked the applicant if he intended to incorporate visual elements and materials that would be approved by the HOA. Mr. Duerig explained that the building is white with green shingles. The clubhouse is the same color. The new pavilion structure will have white posts, white trim, and a green roof. It will not be taller than the current building. It will

blend in with the other buildings. The applicant also plans to put landscaping in front of it and on the left-hand side as a buffer. The golfers will be able to enter from the rear of the building.

Vice Chairman Bryan opened the public hearing. He asked if anyone wanted to speak for or against the application.

Mr. Gerald L. "Tweedy" Rowe lives at 9150 Goodrich Lane. He is a member of the Cypress Creek Golfers & Members' Club. The membership and the community are in favor of the pavilion. It is a win/win for everyone. It will enhance the course and the community. It will bring people to the Town to play golf. He asked for approval of the application.

Vice Chairman Bryan stated that the Town had received a letter from Mr. Tim Culpepper in support of the application.

The Community Development and Planning Director explained that another letter was included from a nearby property owner, Mr. Chris Nolan, who is also in favor of the application.

With no other comments, Vice Chairman Bryan closed the public hearing and asked for Planning Commission comments.

Dr. Pope believes it will be a nice enhancement to the golf course.

Mr. Swecker made a motion to approve the application with staff's recommended condition. Dr. Marks seconded the motion. Vice Chairman Bryan called for the vote.

On call for the vote, five members were present. Mrs. Hillegass voted aye, Mr. Swecker voted aye, Dr. Pope voted aye, Dr. Marks voted aye, and Vice Chairman Bryan voted aye. There were no votes against the motion. The motion passed.

**Site Plan Amendment & Entrance Corridor Overlay (ECO) Design Review Application – 803 S. Church Street, Ted & Polly Boothe, c/o Nicholas Hess & Derek Joyner, applicants:**

The applicants, Derek Joyner and Nicholas Hess, explained that the requested signage has been made for Smithfield Animal Hospital. The signage explains that no parking is allowed in the veterinarian's parking lot for their restaurant business. He gave the signs to the Smithfield Animal Hospital owners. All other requested documentation has been submitted to the Community Development & Planning Director.

Mr. Settle explained that the applicant has their SUP, Comprehensive Plan amendment, and their rezoning approvals from previous applications. The current application is a site plan amendment to the existing site, as well as Entrance Corridor Overlay Design review application for the exterior changes to the building which are minimal. In all, the applicants propose the closing of one (1) of the entrances on S Church St with a series of raised flower beds, expanding the paved driveway/parking area by a total of three (3) spaces located south of the building, restoring and expanding the dilapidated gravel driveway and parking area and dedicating four (4) parking spaces along the northwest side of the building, relocating the existing storage shed to a position at the back of the property, constructing a fenced waste disposal area behind the relocated shed, connecting to the public water system, and constructing an approximately 410 square foot patio to the rear of the primary building, which will be fenced. Eventually, the applicants intend to pave the parking lot with asphalt in accordance with their approved phasing plan. Staff recommends four conditions of approval for the application: (1) To maintain consistency with the applicants' prior approvals, the applicants must erect signage (to be

reviewed and approved by Town staff) explicitly prohibiting their future patrons from parking on the adjacent property (805 S Church St). (2) Pursuant to SZO Section 9.G, a landscaping bond must be submitted to the Town, equal to 120% of the value of the proposed planting(s) referenced in the cost estimate for the required landscaping provided to the Town on Thursday, April 23<sup>rd</sup>, 2020. (3) The recordation of the ingress/egress, parking, and sanitary sewer utility easements illustrated in the attached site plan. (4) The resolution of any comments generated on the site plan by either the Virginia Department of Transportation (VDOT) and/or the Isle of Wight County Stormwater Division. With the four conditions, staff recommends approval of the application.

Dr. Marks explained that he still has reservations over the parking issues. The applicant explained that the parking easement shows additional parking spaces in the future. They will put in a flower bed to block the first entrance. They will also grade down the grassy hill area and make one common parking area. It will open multiple parking spots. Mr. Settle explained that the applicants will need to come back to the Planning Commission when they expand the parking area. Everyone will be able to review the plan at that time.

The Town Attorney explained that the use has already been decided. It was recommended favorably by the Planning Commission and approved by the Town Council. Tonight's application is for the technical approval of the site plan.

Mrs. Hillegass stated that it will be a great improvement to the parcel. She made a motion to approve the application with staff's recommended conditions. Mr. Swecker seconded the motion. Vice Chairman Bryan called for the vote.

On call for the vote, five members were present. Mrs. Hillegass voted aye, Mr. Swecker voted aye, Dr. Pope voted aye, Dr. Marks voted aye, and Vice Chairman Bryan voted aye. There were no votes against the motion. The motion passed.

**Site/Subdivision/Utility Plan & Preliminary Plat Applications – Lot 0A, Huntington Way, Vanasse Hangen Brustlin, Inc., c/o Stephen Romeo, applicant:**

The Community Development & Planning Director explained that the Planning Commission had previously approved this application for four residential lots. They were to be developed with single family homes. The applicant is now applying for a new site/subdivision/utility plan & preliminary plat for the subdivision of the same property into three Neighborhood Residential zoned lots. The subdivision will feature a privately regulated conservation easement, landscaping, street lighting, stormwater infrastructure, public water and sewer infrastructure, and the completion of the cul-de-sac at the end of Huntington Way which will serve the subdivision's sole means of vehicular access. The applicants' project meets all applicable standards of the Town's zoning and subdivision ordinances as well as its technical design standards. Town staff recommends approval under the following conditions: (1) The applicants must adhere to all of the conditions enumerated in the "Amendment to the Existing Revised Proffer of Conditions for Waterford Oaks Subdivision (Dated 3 November 1989, Amended 27 September 2004)", which was dated Thursday, November 1<sup>st</sup>, 2007, and signed by the applicant and adopted by the Town Council on Tuesday, May 6<sup>th</sup>, 2008. (2) Pursuant to Smithfield Zoning Ordinance Section 9.G, a landscaping bond in the amount of \$6,300 must be

submitted to the Town prior to the issuance of a zoning permit. The landscaping bond shall be payable to and held by the Town Council, and in the form of a cashier's check. (3) The deed of conservation easement covering the area of "Old Lot 1" must be recorded in conjunction with the recordation of the final plat following its approval by the Planning Commission- the Town must be furnished with a certified copy of the recorded deed of conservation easement and any accompanying exhibits.

Mr. Romeo, the applicant, stated that the project started in 2008 as four lots. It is now three lots. He was available for questions from the Planning Commission.

Dr. Pope asked why the property was not developed along with the rest of Waterford Oaks. The applicant stated that the property was originally set aside for recreational use if the development formed a Homeowners' Association. The development did not develop a Homeowners' Association and there was no interest in developing the property for a recreational use. The owner has decided to finish the street and develop the lots.

Dr. Marks made the motion to approve the application with staff's recommended conditions. Dr. Pope seconded the motion. Vice Chairman Bryan called for the vote.

On call for the vote, five members were present. Mrs. Hillegass voted aye, Mr. Swecker voted aye, Dr. Pope voted aye, Dr. Marks voted aye, and Vice Chairman Bryan voted aye. There were no votes against the motion. The motion passed.

**ECO Design Review Application – 928 S. Church Street, Smithfield Auto Center, LLC, c/o Anthony Macioci, applicant:**

The Community Development & Planning Director reported that the applicants want to paint their front door a "heartthrob" red color. The exterior trim will be repainted with a color similar to the existing color. Color samples are provided in the packet. Staff recommends approval of the application.

Dr. Pope made a motion to approve as presented. Mrs. Hillegass seconded the motion. Vice Chairman Bryan called for the vote.

On call for the vote, five members were present. Mrs. Hillegass voted aye, Mr. Swecker voted aye, Dr. Pope voted aye, Dr. Marks voted aye, and Vice Chairman Bryan voted aye. There were no votes against the motion. The motion passed.

**ECO Design Review Application – 18420 Battery Park Road, Hardy Elementary School, c/o Kelly Sowden, applicant:**

Mr. Settle explained that Hayden's Lane has a little library box for people to share books. The applicants would like to put up another one at Smithfield Christian Church on Battery Park Road. Staff received an email from the church in support of the project and recommend it for approval.

Dr. Pope asked who would maintain it if it needed repair. Mr. Settle explained that the property owner would ultimately be responsible for maintenance. He has noticed that the people who put them up are diligent about maintaining them.

Mrs. Hillegass made a motion to approve the application as submitted. Dr. Pope seconded the motion. Vice Chairman Bryan called for the vote.

On call for the vote, five members were present. Mrs. Hillegass voted aye, Mr. Swecker voted aye, Dr. Pope voted aye, Dr. Marks voted aye, and Vice Chairman Bryan voted aye. There were no votes against the motion. The motion passed.

**ECO Design Review Application – 1800 S. Church Street, Smithfield Assembly of God Trustees, c/o Shawn McDowell, applicant:**

Mr. Settle stated that this application is for a 4' tall, black aluminum fence that will surround a playground area. It is a safety fence to prevent children from wandering off. The playground area will be approximately 35' x 35'. It will be next to a portico that faces Heptinstall Avenue.

Mr. Swecker made a motion to approve as presented. Mrs. Hillegass seconded the motion. Vice Chairman Bryan called for the vote.

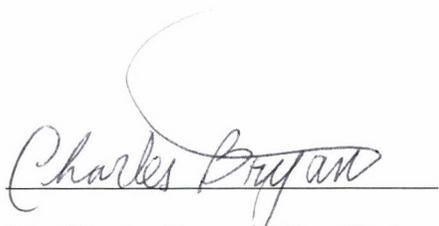
On call for the vote, five members were present. Mrs. Hillegass voted aye, Mr. Swecker voted aye, Dr. Pope voted aye, Dr. Marks voted aye, and Vice Chairman Bryan voted aye. There were no votes against the motion. The motion passed.

**Approval of the Tuesday, March 10<sup>th</sup>, 2020 Meeting Minutes.**

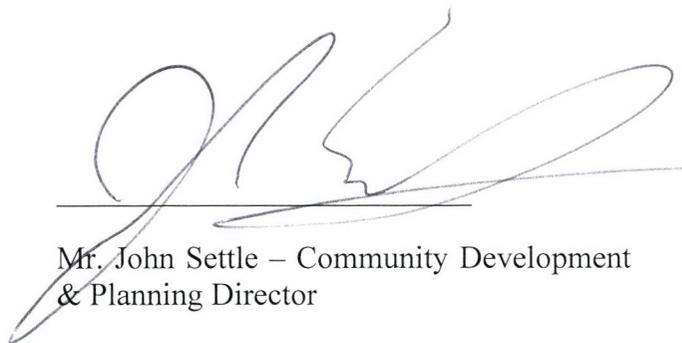
The Town Attorney recommended the minutes be approved as submitted. Mrs. Hillegass made a motion to approve the minutes. Dr. Marks seconded the motion. Chairman Pack called for the vote.

On call for the vote, five members were present. Mrs. Hillegass voted aye, Mr. Swecker voted aye, Dr. Pope voted aye, Dr. Marks voted aye, and Vice Chairman Bryan voted aye. There were no votes against the motion. The motion passed.

The meeting adjourned at 7:12 p.m.



Mr. Charles Bryan - Vice Chairman



Mr. John Settle – Community Development  
& Planning Director